

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

HALO LABORATORIES LLC, an Arizona limited liability company,

No. 3:19-cv-01584-YY

Plaintiff,

v.

OPINION AND ORDER

UXTRACT LLC, a Colorado limited liability company; **COREY GAINES**, an individual; **JAMES TINDALL**, an individual; **AUKAI KING**, an individual; **AZK, LLC**, an Oregon limited liability company,

Defendants.

MOSMAN, J.,

On December 12, 2019, Magistrate Judge Youlee Yim You issued her Findings and Recommendation (“F&R”) [ECF 8], recommending that I dismiss this case without prejudice because Plaintiff Halo Laboratories LLC (“Halo”) is a company, is unrepresented by counsel, and cannot represent itself. No objections were filed.

LEGAL STANDARD

The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge, but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See*

Thomas v. Arn, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review of the F&R, I agree with Judge You's reasoning and conclusions. Therefore, I ADOPT the F&R [8] as my own opinion. This case is DISMISSED without prejudice.

IT IS SO ORDERED.

DATED this 24 day of January, 2020.



MICHAEL W. MOSMAN
United States District Judge